

(RUTTY, S)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROGER DAVIDSON, on behalf of himself and  
all others similarly situated,

Plaintiff,

v.

SUNOPTA INC., STEVEN R. BROMLEY and  
JOHN H. DIETRICH,

Defendants.  
----- X

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DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: MAR 04 2008

Case No. 08 CV 01496 (11-1)

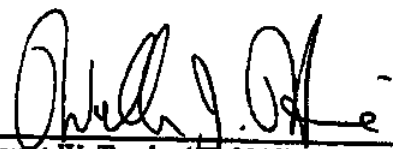
**STIPULATION AND (PROPOSED) ORDER**

**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned counsel for the parties herein, that after the Court enters an order consolidating this action with any related securities class actions and appointing lead plaintiff and lead plaintiff's counsel, Defendants' counsel will confer with the court-appointed lead counsel regarding the schedule for the filing of a consolidated amended complaint and for the filing of Defendants' response to that complaint. Defendants will not be required to answer, move or otherwise respond to the complaint filed on or about February 13, 2008 in this action. Defendants' counsel is authorized to accept service of process and hereby does accept service of process on behalf of the Defendants. By entering into this Stipulation, the parties have not waived and expressly retain all claims, defenses and arguments, whether procedural, substantive or otherwise (including any defenses Defendants may have as to lack of personal jurisdiction), and this Stipulation is without prejudice to any party's right to challenge any such claims, defenses or arguments. This Order is entered without prejudice to the rights of any party to apply for a modification of this Order for good cause.


**STIPULATED AND AGREED:**

**Dated: New York, New York  
March 3, 2008**

**JONES DAY**

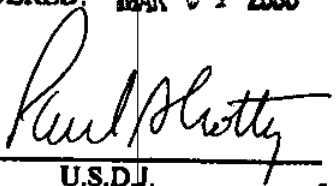

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*Attorneys for Plaintiff Roger Davidson*

**SO ORDERED: MAR 01 2008**

  
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U.S.D.J. 

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